

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:16-MJ-1147-RJ-1

UNITED STATES OF AMERICA)	
)	
)	
v.)	<u>ORDER</u>
)	
JOHN F. CURRAN III,)	
)	
Defendant.)	

In accordance with Fed. R. Crim. P. 32.1(a)(5), this matter came before this court yesterday, September 15, 2016, for a preliminary examination regarding the government's petition on Defendant's supervised release filed in the District of Maryland [DE-1], and for a hearing on the government's motion to detain Defendant pending further proceedings.

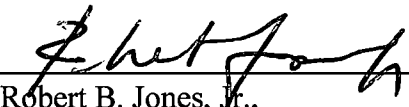
In its petition, the government alleges Defendant has violated the conditions of his supervised release as follows: (1) Defendant left the District of Maryland and traveled to North Carolina without permission of his probation officer; (2) Defendant failed to report that he opened a business bank account on May 20, 2016, on his financial statement submitted on May 26, 2016; (3) Defendant failed to report his business holding in Templars & Crusaders, LLC, on his financial statement submitted on May 26, 2016; and (4) Defendant failed to report a change in employment from Gargoyles to Templars & Crusaders, LLC. [DE-1]. In support of its petition, the government offered the testimony of United States Probation Officer Brock Knight of the Eastern District of North Carolina. Officer Knight's testimony was based in material part on recent communications he had with Senior United States Probation Officer William C. Tavik, Jr., of the District of Maryland. Officer Tavik appears to have supervised Defendant's release in the District of Maryland

and his signature appears on the government's petition. This court found Officer Knight's testimony to be credible. In support of his case as to probable cause, Defendant offered his own testimony. The court did not find Defendant's testimony to be persuasive in light of Officer Knight's testimony and the government's corroborative exhibits. Each party submitted exhibits which the court admitted for purposes of the hearing.

Having considered the testimony, exhibits and argument by the parties, the court finds the credible information presented establishes probable cause to support the government's motion. As explained during the hearing, although Defendant has attempted to rebut the government's showing, the court finds Defendant's testimony and exhibits fail to outweigh the government's showing that Defendant is more likely than not to have violated the conditions of his supervised release as alleged in the government's motion.

By separate order this court has imposed conditions on Defendant's release pending his revocation hearing before the District of Maryland.

SO ORDERED, the 16th day of September 2016.



Robert B. Jones, Jr.,
United States Magistrate Judge